



**DECLARATION AND POWER OF ATTORNEY  
IN A COPENDING APPLICATION  
CONTAINING ADDITIONAL SUBJECT MATTER**

Attorney Case No. 51791AUSC1

As a below named inventor, I hereby declare:

That, my residence, post office address and citizenship are as stated below next to my name;

That, I verily believe that I am the original, first and sole inventor (if only one name is listed below) or a joint inventor (if plural inventors are named below) of the invention entitled:

**DNA Encoding A Novel RG1 Polypeptide**

the specification of which is filed herewith. I have reviewed and understand the contents of the attached specification, including the claims.

This application in part discloses and claims subject matter disclosed in my earlier filed copending application Serial No. 09/732,357, filed December 7, 2000, of which I claim the benefit under 37 USC §120.

I acknowledge my duty to disclose information of which I am aware that is material to the examination of this application in accordance with 37 CFR §1.56(a), including material information which occurred between the filing date of said prior application and the filing date of this continuation-in-part application, insofar as the subject matter of the claims is not disclosed in said prior application in the manner provided by 35 USC §112, first paragraph.

That, as to the subject matter of this application which is common to said earlier application, I do not know and do not believe: that this invention was ever known or used in the United States of America before my or our invention thereof; that this invention was patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to said application; that this invention was in public use or on sale in the United States of America more than one year prior to said application; that this invention has been patented or made the subject of an inventor's certificate issued before the date of said application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to said application; nor that any application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to said application by me or my legal representatives or assigns, except as follows:

None

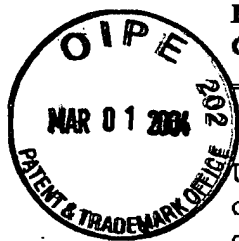
That, as to the subject matter of this application which is not common to said earlier application, I do not know and do not believe: that this invention was ever known or used in the

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United States of America before my or our invention thereof; that this invention was patented or described in any printed publication in any country before my or our invention thereof or more than one year prior to this application; that this invention was in public use or on sale in the United States of America more than one year prior to this application; that this invention has been patented or made the subject of an inventor's certificate issued before the date of this application in any country foreign to the United States of America on an application filed by me or my legal representatives or assigns more than twelve months prior to this application, nor that any application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America, prior to this application by me or my legal representatives or assigns, except as follows:

None

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the United States Patent and Trademark Office connected therewith:

Neil G. Miyamoto, Registration No. 50,370  
Melissa A. Shaw, Registration No. 38,301  
Wendy L. Washtien, Registration No. 36,301  
Ronald S. Hermenau, Registration No. 34,620  
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Address all telephone calls to Wendy L. Washtien at telephone number (510) 262-5411.

Address all correspondence to Wendy L. Washtien, Berlex Biosciences, Patent Department, 2600 Hilltop Drive Avenue, P.O. Box 4099, Richmond, California 94804-0099.

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I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

FULL NAME OF SOLE JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
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Richard Harkins

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FULL NAME OF SECOND JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
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Deborah Parkes

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FULL NAME OF THIRD JOINT INVENTOR	INVENTOR'S SIGNATURE	DATE
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Gordon Parry

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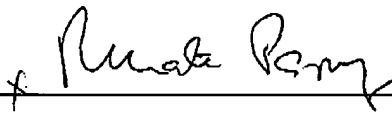
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of this application or any patent issuing thereon.

FULL NAME OF FOURTH  
JOINT INVENTOR

INVENTOR'S SIGNATURE

DATE

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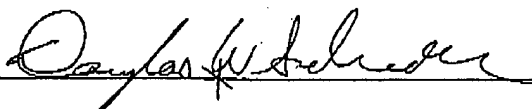
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FULL NAME OF FIFTH  
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INVENTOR'S SIGNATURE

DATE

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